

Budget Summary - Children with Serious Emotional Disturbances (SED)

BACKGROUND

Definition of “serious emotional disturbance”

IDAHO CODE TITLE 16 – JUVENILE PROCEEDINGS CHILDREN’S MENTAL HEALTH SERVICES ACT

Section 16-2403 (13) Defines “Serious emotional disturbance” as an emotional or behavioral disorder, or a neuropsychiatric condition which results in a serious disability, and which requires sustained treatment interventions, and causes the child’s functioning to be impaired in thought, perception, affect or behavior. A disorder shall be considered to “result in a serious disability” if it causes substantial impairment of functioning in family, school or community. A substance abuse disorder does not, by itself, constitute a serious emotional disturbance, although it may coexist with serious emotional disturbance.

The *Needs Assessment Report* states “Idaho’s definition of SED, as set forth in the Children’s Mental Health Services Act (1997), is consistent with the federal definition. “In the report, the term “children with SED” refers to children (birth to 21) with clinically-defined illnesses that negatively impact the child’s functioning in significant ways, where the impact can be expected to last for a significant period of time.”

History of Jeff D. Lawsuit

Original filing - 1980

There were two primary issues involved in the original Jeff D. complaint. The first was the mixing of adult and child populations at State Hospital South. The other was that children were being placed outside of their communities into the State Hospital due to a lack of community-based mental health resources for children and their families. These hospital placements were generally far from the child’s home community making it difficult to re-integrate the child into their family, school and community.

Current stipulation

Defendants entered into a compliance agreement on November 20, 1998 based on the plaintiffs’ Motion for Contempt asserting that the defendant had failed to comply with previous settlement agreements. The compliance agreement included a provision to contract for an independent assessment of the number of children in Idaho with a serious emotional disturbance, the services that are available for these children, and the level of services that would be needed to serve all the children in Idaho with a serious emotional disturbance who are in need of publicly funded services.

The compliance agreement also included a stipulation that the defendants would increase the dedicated funding needed to implement the recommendations of the needs assessment, whether by a realignment of existing resources or through an increase in state funding.

The needs assessment was completed in June 1999 by Ira S. Lourie, M.D. & Cliff Davis of Human Service Collaborative from Washington D.C.

The results from the needs assessment were 50 recommendations, which Judge Winmill has noted in his latest decision. The judge has ordered the plaintiffs and the defendants to work together to come up with an agreed upon plan to implement the recommendations by a specific date, which has been extended to January 31, 2001.

Children with SED

Present

Staff from Department of Health and Welfare, Department of Juvenile Corrections, Department of Education, County Probation, Federation of Families, and the Governor's Office are meeting with the plaintiffs' attorneys to develop the plan for implementation of the needs assessment.

The following is a summary of dollars presently dedicated to children with serious emotional disturbances and the request for additional funding to help implement the recommendations in the 1999 Needs Assessment of Idaho's Children with Serious Emotional Disturbances and their Families.

Annual Costs for Providing Services for Children with Serious Emotional Disturbances (SED) Fiscal Year 2001

Department of Health and Welfare

Community Regional Children's Services un-duplicated with client count in Medicaid This covers costs for Department of Health and Welfare (DHW) personnel and services directly provided to SED children and their families through contracts between DHW and private providers. These services include clinical counseling services after assessment and evaluation and development of the case plan with the family. Services may also include specialized supports to the family and child to allow them to stay within the home or community.	\$ 6,345,300
State Hospital Adolescent South	2,183,100
School District Emergency Assistance Program The School District Emergency Assistance program provides direct services through contract with school districts to complete risk assessment and to address needs of the families as identified by school personnel. Relating to personal risks and need of the child including poor school performance, social issues, and behavioral issues. This is a collaborative effort among the school districts, the families and DHW.	545,400
Medicaid Provider Payments Payments include those reimbursable medical services to provide Medicaid eligible children including clinical assessment and counseling, medication management, inpatient and outpatient services, and skill building to allow children to remain in their home and community or to be able to return to that setting as soon as possible with safety. Reimbursed providers include those in the community and schools.	<u>16,076,900</u>
Total Department of Health and Welfare	\$25,150,700

Department of Juvenile Corrections

Residential contract programs with primary mental health treatment	\$ 1,243,900
Mental health hospitals	1,533,000
Contract mental health services not included in program treatment costs (includes medication costs)	288,600
Program costs for juveniles diagnosed with mental health problems that require (non-ADHD) Psychotropic medication. These juveniles receive program treatment in non-hospital residential service areas.	<u>11,146,400</u>

Children with SED

Total Department of Juvenile Corrections \$14,211,900

Department of Education

Direct service contributions	\$ 4,090,300
State and federal dollars to support special education services to eligible students	
Average per pupil state expenditure - \$4,756/student	
Average per pupil federal expenditure - \$676.29	
Schools are currently serving 753 students identified on Dec.1, 2000 as SED. Figuring the state expenditure plus the school-age federal expenditure x 753, the average expenditure of state and federal dollars = \$4,090,296.	
SED allowance (for districts who spend over the average amount allocated)	380,100
Number of SED students on Dec. 1, 2000 beyond statewide average incidence rate x excess cost rate \$2,400 = total additional funds. 2000 Legislative Report states 24 districts received funds. Average pupil expenditure (SED student)= \$580.00	
District to agency contracts	99,500
Total statewide = \$198,949.43	
It is estimated that approximately half of the contracts or \$99,475 are used for SED students.	
School Medicaid (486 students)	270,900
Other Contracts for Educational Services (Juvenile Corrections, Detention Centers, Adult Correction (98 students)	855,700
Alternative School Programs (4,372 students)	<u>30,720,000</u>
Total Department of Education	\$36,416,500
Prevention Programs:	\$10,944,200
(Positive Behavioral Supports, Safe and Drug Free Schools, Character Education, Idaho Reading Initiative, LRE funding, Head Start, and training on behavioral issues)	

<i>FY 2001 Total Amount Dedicated to SED Children</i>	<i>\$86,723,300</i>
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Children with SED

Amounts Dedicated to Children With SED FY 2002

Note – The following amounts are increases over the FY 2001 numbers.

Department of Health and Welfare

Family and Community Services	\$2,379,200
This includes \$1,294,200 for increased number of children covered due to new assessment, \$350,000 for demo sites, \$135,000 for implementation of collaborative recommendations.	
This includes \$991,600 for 15 FTPs technical experts to work with local counselors, \$89,000 for operating costs, \$75,600 for capital outlay.	
	<u>1,156,200</u>
Total Family and Community Services	\$3,535,400
Medical Assistance	
H&W - new dollars for children with SED from the General Fund	\$ 726,700
Federal match Medicaid	<u>1,775,400</u>
Total Medical Assistance	<u>\$2,502,100</u>
Total Department of Health and Welfare	\$6,037,500

Department of Education

Community Resource Workers (approx. 9% of \$6,000,000 directed to children with SED)	\$548,000
Counselors (9% of time of 85 new counselors x \$40,263)	<u>308,000</u>
Total Department of Education	\$856,000

Department of Juvenile Correction

This is based on 60% of the increased amount to be paid out to contract providers	\$893,800
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FY 2002 Grand Total	\$7,787,300
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